

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EDWARD SHIRLEY,

Defendant.

8:13CR283

ORDER

This matter is before the court on the defendant's motion for a 60-day extension of time in which to file pretrial motions [19]. This is the defendant's third request for additional time to file pretrial motions. The Court's previous order granting additional time to file pretrial motions (Filing No. 17) stated that no further extensions would be granted, however, the defendant's Motion [19] will be granted, in part. A 30-day extension will be granted.

IT IS ORDERED that the MOTION FOR ENLARGEMENT OF TIME TO FILE PRETRIAL MOTIONS [19] is granted, in part, as follows:

1. The deadline for filing pretrial motions is extended to February 13, 2014.
2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.

3. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between January 14, 2014 and February 13, 2014, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason that counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

4. This is the final extension of time to file pretrial motions. No further extensions will be granted.

Dated this 15th day of January, 2014.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge